

State of South Dakota

EIGHTY-FIFTH SESSION LEGISLATIVE ASSEMBLY, 2010

447R0108

HOUSE ENGROSSED NO. **HB 1128** - 2/9/2010

Introduced by: Representative Deadrick

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning fire protection
2 services provided through township funding.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 8-9-4 be amended to read as follows:

5 8-9-4. Every civil township in this state shall, through its board of supervisors, enter into a
6 contract for fire-fighting equipment and protection with a political subdivision or subdivisions
7 of this state or with a nonprofit fire protection corporation or association legally organized and
8 certified in this state. No contract may have a term that exceeds ten years in length. The amount
9 of money each township ~~shall pay~~ pays shall be determined through negotiation and shall be
10 specified in the contract. Any political subdivision or nonprofit fire protection corporation or
11 association providing fire protection services shall, as part of any negotiation conducted
12 pursuant to this section, estimate the cost of fire protection, including equipment, buildings,
13 material, and personnel. A contract entered into pursuant to this section shall be for an amount
14 equal to the estimated cost of fire protection as agreed to by the parties. The contract may be for
15 an amount other than the estimated cost of fire protection if agreed to by the parties to such



1 contract. The provisions of this section do not apply to any township or portion thereof that lies
2 within a rural fire protection district established pursuant to chapter 34-31A or an emergency
3 services district established pursuant to chapter 34-47. However, nothing in this section prevents
4 any township and rural fire district from entering into a contract to coordinate and cooperate for
5 mutual fire protection and prevention purposes within any area which they might logically serve.